

DEC 15 1998

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS  
OF PALM BEACH COUNTY, FLORIDA, AMENDING  
ORDINANCE NO. 95-40, AS AMENDED, AS CODIFIED  
IN SECTION 2-136 OF THE CODE OF LAWS AND  
ORDINANCES RELATING TO PALM BEACH COUNTY  
GOVERNMENT; ENTITLED THE PALM BEACH COUNTY  
EMPLOYEE TUITION REFUND PROGRAM ORDINANCE;  
PROVIDING FOR AN INCREASE IN THE MAXIMUM  
REIMBURSABLE TUITION AMOUNT; PROVIDING FOR AN  
INCREASE IN EMPLOYEE OBLIGATION; PROVIDING  
FOR SAVINGS CLAUSE; PROVIDING FOR  
APPLICABILITY; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND  
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes,  
authorizes counties to provide for the health, welfare and  
well-being of citizens of the County; and

WHEREAS, the Board of County Commissioners (Board)  
has determined that it is in the public interest to provide  
for the improved efficiency and productivity of County  
employees; and

WHEREAS, the Board has previously enacted Ordinance  
No. 72-6, as amended by Ordinance Nos. 75-2, 86-34, 89-25, 90-  
44, and 95-40, as set forth in Section 2-136 of the Code of  
Laws and Ordinances Relating to Palm Beach County Government,  
which established the Palm Beach County Employee Tuition  
Refund Program that provided for the reimbursement of certain  
tuition costs for County employees for approved course work;  
and

WHEREAS, the Board has determined that it will serve  
the public interest of the County to continue the Employee  
Tuition Refund Program with certain revisions to the Program;  
and

WHEREAS, the Board wishes to enact an ordinance  
amending the Code of Palm Beach County to provide for those  
revisions.

1                   NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF  
2                   COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3                   SECTION I. Section 2-136, Palm Beach County  
4                   Employee Tuition Refund Ordinance, Subsection (b),  
5                   Qualifications and Limitations, is hereby amended to read as  
6                   follows:

7                   All employees who take approved course work related  
8                   to their job, to career advancement or redirection within the  
9                   County organization or leading to a degree relating to their  
10                  job or to career advancement or redirection within the County  
11                  organization shall be entitled to a refund of their paid  
12                  tuition costs. The Tuition refund shall be paid upon the  
13                  satisfactory completion of approved course work. For graded  
14                  undergraduate courses, employees achieving a grade of "C" or  
15                  above shall receive a refund of one hundred (100) percent of  
16                  their paid tuition costs. For graded graduate courses,  
17                  employees achieving a grade of "B" or above shall receive a  
18                  refund of one hundred (100) percent of their paid tuition  
19                  costs. There will be no refund provided for course work  
20                  resulting in a grade below "C" for undergraduate courses and  
21                  below "B" for graduate courses or for credit courses taken on  
22                  a pass/fail basis. For ungraded courses, such as  
23                  correspondence courses, employees receiving a certificate of  
24                  completion or similar document shall receive a refund of one  
25                  hundred (100) percent of their paid tuition costs. Books,  
26                  materials and fees are not eligible for reimbursement under  
27                  this program. Except as provided in Section (f) herein, the  
28                  total annual amount of reimbursement by Palm Beach County will  
29                  not exceed One Thousand Two Hundred and Fifty Dollars

1 (\$1,250.00)for undergraduate courses or One Thousand Five  
2 Hundred Dollars (\$1500.00)for graduate level courses per  
3 fiscal year per employee. If an employee is eligible to  
4 receive tuition refunds or similar funds or benefits through  
5 the G.I. Bill or other similar program, policy or agreement  
6 (hereinafter "other program"), the County will refund only  
7 those tuition costs not funded by said other program, provided  
8 the total amount paid to, or on behalf of, an employee (from  
9 such other program(s) and from the County) does not exceed the  
10 actual tuition cost, and further provided that the total  
11 annual cost to the County will not exceed One Thousand Two  
12 Hundred and Fifty Dollars (\$1250.00) for undergraduate courses  
13 or One Thousand Five Hundred Dollars (\$1500.00)for graduate  
14 level courses per fiscal year per employee. Course work shall  
15 be defined as any course of study, training or education given  
16 by an accredited educational institution which in the judgment  
17 of the Director of Employee Relations and Personnel or his/her  
18 designee relates to the employee's career field, career  
19 advancement, or redirection with the County organization.

20 SECTION II. Section 2-136, Subsection (d), Employee  
21 Obligation, is hereby amended to read:

22 (d) *Employee Obligation.* All employees receiving  
23 reimbursement up to \$700.00 per fiscal year under this program  
24 will be obligated to remain in the employ of the County for a  
25 minimum of one (1) year following satisfactory completion of  
26 the course work. Those employees receiving \$700.00 or more in  
27 tuition refund within a fiscal year will be obligated to  
28 remain in the employ of the County for a minimum of two (2)  
29 years following satisfactory completion of the course work.



1 Employees resigning or discharged from the County service  
2 prior to the expiration of the required period will reimburse  
3 the County for any tuition refunds received. The County may  
4 recoup the funds through deductions from the employee's final  
5 paycheck(s) and/or through such other collection means as the  
6 County elects to use. Employees who are discharged due to a  
7 reduction in force or layoff will be not be required to  
8 reimburse the County for tuition refunds received.

9 Prior to the tuition reimbursement of any employee  
10 pursuant to this Ordinance, an employee shall have entered  
11 into a contract whereby the employee agrees to the following:

12 (1) That said employee will remain in the employ  
13 of the County for the period of time required  
14 herein following completion of course work.

15 (2) That should said employee resign or be  
16 discharged from County service prior to the  
17 expiration of the required period, the  
18 employee will reimburse the County for any  
19 refund received.

20 (3) That the County is authorized to deduct  
21 amounts equaling said reimbursements from the  
22 employee's final paycheck(s) and/or to use  
23 such other collection means as the County  
24 elects.

25 (4) That if said employee is eligible to receive  
26 tuition refunds or similar funds or benefits  
27 through the G.I. Bill or other program, policy  
28 or agreement (hereinafter "other program"),  
29 the County will refund only those tuition

1 costs not funded by said other program,  
2 provided the total amount paid to or on behalf  
3 of an employer (from such other program(s) and  
4 from the County) does not exceed the actual  
5 tuition cost, and further provided that the  
6 total annual cost to the County will not  
7 exceed One Thousand Two Hundred and Fifty  
8 (\$1250.00) for undergraduate courses or One  
9 Thousand Five Hundred Dollars (\$1500.00) for  
10 graduate level courses per fiscal year per  
11 employee.

12 VII. Section 5, Procedure, is hereby amended to  
13 read:

14 (a) Application. Employees desiring to  
15 participate in the Tuition Refund Program shall submit to  
16 their department head one copy of the "Application for Tuition  
17 Refund" no later than five (5) days following the close of  
18 registration for the course. Department heads will review the  
19 application for approval or disapproval and, if approved affix  
20 their recommendation and forward the application to the  
21 Director of Employee Relations and Personnel or his/her  
22 designee, who will coordinate the program. If the department  
23 head does not approve, he/she shall forward the application to  
24 Employee Relations and Personnel or his/her designee for  
25 review.

26 (b) Review. All applications, whether or not  
27 recommended by the department head, will be reviewed by the  
28 Director of Employee Relations and Personnel or his/her  
29 designee, who shall be responsible for the final determination

1 of approval and for notifying all applicants of the action  
2 taken.

3 (c) Reimbursement. All approved applicants  
4 will submit a request for reimbursement along with tuition  
5 receipts and official grade notifications to the Director of  
6 Employee Relations and Personnel or his/her designee no later  
7 than forty-five (45) days from receipt of grades or from  
8 completion of the course in the case of an ungraded course.  
9 The Director of Employee Relations and Personnel or his/her  
10 designee will authorize payments under this program. Persons  
11 who are candidates for certificates or degrees must also  
12 submit a statement from their academic department chair,  
13 indicating the title of the degree or certificate sought and  
14 the field of specialization, if not already indicated on the  
15 official grade notice.

16 IX. AUTHORITY TO ESTABLISH RULES AND REGULATIONS

17 The County may establish rules, regulations and  
18 procedures to carry out the provisions of this Ordinance.

19 X. REPEAL OF LAWS IN CONFLICT

20 All local codes applying to the unincorporated area  
21 of Palm Beach County or parts of such Ordinances in conflict  
22 with any provisions of this Ordinance are hereby repealed to  
23 the extent of the conflict.

24 XI. SEVERABILITY

25 If any section, paragraph, sentence, clause, phrase,  
26 or word of this Ordinance is for any reason held by the Court  
27 to be unconstitutional, inoperative or void, such holding  
28 shall not affect the remainder of this Ordinance.



XII. INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "code" may be changed to "section," "article," or any other appropriate word.

XIII. EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, this 15th day of December, 1998.

DOROTHY H. WILKEN, CLERK

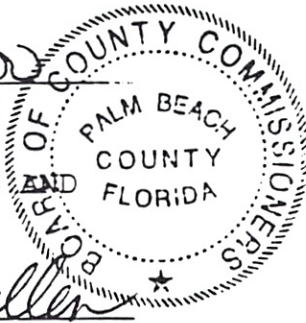
PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

By: Deborah Dieter  
Deputy Clerk

By: Maudie Ford Lee  
Chairman

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: Maureen Cullen  
County Attorney



98 64 DEC 15 1998

EFFECTIVE DATE: Filed with the Department of State on the 22nd day of December, 1998.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 12/15/98  
DATED at West Palm Beach, FL on 12/30/98.  
DOROTHY H. WILKEN, Clerk  
By: Phyllis A. House D.C.